

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**PUTZ FARMS, JOINT VENTURE,
A JOINT VENTURE OF HERBERT
PUTZ AND SIGNE PUTZ**

Plaintiff,

VS.

Case No. 4:09cv355

**C. DOUGLAS DONLEY D/B/A
C. DOUGLAS DONLEY CROP
INSURANCE**

Defendant.

SCHEDULING ORDER

After reviewing the report from the parties required by Fed. R. Civ. P. 26(f) and after consulting with the parties by mail or a scheduling conference, the court hereby enters the following Scheduling Order pursuant to this court's Local Rule CV-16 and Fed. R. Civ. P. 16:

- (1) Rule 26(a)(1) initial disclosures shall be made by all parties by **November 6, 2009**.
- (2) Other parties shall be joined pursuant to Fed. R. Civ. P. 19 and 20 by **December 18, 2009**. (A motion for leave to add parties is not necessary provided parties are added by this date, otherwise leave of court is required.)
- (3) Amended pleadings shall be filed by **February 26, 2010**. (A motion for leave to amend is not necessary.)
- (4) All motions to transfer, motions to remand, motions to dismiss, motions for summary judgment, or other dispositive motions, shall be filed by **April 21, 2010**. Unless leave of court is first obtained, a party may file no more than one motion for summary judgment.
- (5) Disclosure of expert testimony pursuant to Fed. R. Civ. P. 26(a)(2) and Local Rule CV-26(b) shall be made by the plaintiff by **March 12, 2010**, and by the defendant by **March 26, 2010**. Thereafter, each party shall have until **May 21, 2010**, to object to any other party's expert witnesses. Such objections shall be made by a motion to strike or limit expert testimony and shall be accompanied by a copy of

the expert's report in order to provide the court with all of the information necessary to make a ruling on any objection.

- (6) Pretrial disclosure pursuant to Fed. R. Civ. P. 26(a)(3) shall be made by the plaintiff by **May 28, 2010**, and by the defendant by **June 4, 2010**.
- (7) All fact discovery shall be commenced in time to be completed by **April 21, 2010**.
- (8) This case shall be mediated by **May 28, 2010**. If the parties agree on a mediator, they shall so notify the court of the name, address, and telephone number of the attorney-mediator by **October 16, 2009**. Otherwise, the court will select a mediator.
- (9) A Joint Final Pretrial Order prepared in accordance with Local Rule CV-16(b) and Joint Proposed Jury Instructions and Verdict Form (or proposed Findings of Fact and Conclusions of Law in nonjury cases) shall be delivered by the plaintiff to the court by **June 4, 2010**. In order to enable the plaintiff to prepare and deliver the Joint Final Pretrial Order and Joint Proposed Jury Instructions and Verdict Form (or proposed Findings of Fact and Conclusions of Law in nonjury cases) to the court, and to enable the defendants and any third parties to participate in the preparation of such documents, the plaintiff shall provide the plaintiff's share of the necessary information to all other parties by **May 21, 2010**. Thereafter, all defendants and third parties shall provide their share of the information to plaintiff by **May 28, 2010**.
- (10) Any motions in limine shall be filed by **June 4, 2010**. Responses to motions in limine shall be filed within the time provided by Local Rule CV-7.
- (11) This case is set for a Final Pretrial Conference and Trial Scheduling on **July 6, 2010**.

SIGNED this 15th day of October, 2009.



DON D. BUSH
UNITED STATES MAGISTRATE JUDGE